

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

T. BARRY GRAY, individually and as EXECUTOR of the  
ESTATE OF THELMA L. GRAY  
Plaintiffs,

v.

ANGELA L. MARTINEZ,  
individually and in her capacity as Director of Office of Judicial  
Support of Delaware County  
and  
DEBORAH L. GASTON,  
individually and in her capacity as former Director of Office of  
Judicial Support of Delaware County  
and  
TCIF REO CIT, LLC  
and  
SELECT PORTFOLIO SERVICING, INC.,  
formerly known as Fairbanks Capital Corporation  
and  
WACHOVIA BANK NAT'L ASSOC.,  
formerly known as First Union National Bank  
and  
JOSEPH F. MCGINN,  
individually and in his capacity as  
Sheriff of Delaware County  
Defendants,

CIVIL ACTION

NO. 08-2603

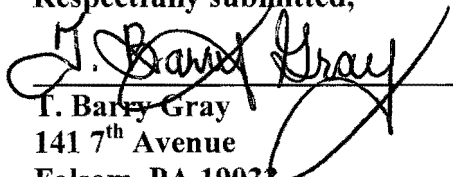
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**REQUEST FOR ENTRY OF DEFAULT  
AGAINST DEFENDANT TCIF REO CIT, LLC**

Plaintiff T. Barry Gray, individually, by and through self-representation, hereby requests, pursuant to Fed. R. Civ. P. 55(a), that the Clerk of this Court enter the default of Defendant TCIF REO CIT, LLC for its failure to plead or otherwise defend the above-captioned action in accordance with Fed. R. Civ. P. 12(a). The attached sworn/affirmed declaration of T. Barry Gray, supports this Request for Entry of Default.

Respectfully submitted,

By:

  
T. Barry Gray  
141 7<sup>th</sup> Avenue  
Folsom, PA 19033  
610-757-0039

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NO. 08-2603

**ENTRY OF DEFAULT**

Having failed to appear, plead, or otherwise defend in this action, a DEFAULT is hereby entered against Defendant TCIF REO CIT, LLC, pursuant to Fed. R. Civ. P. 55(a).

Dated this \_\_\_\_\_ day \_\_\_\_\_, 2010.

**CLERK, UNITED STATES DISTRICT COURT**

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JOSEPH F. MCGINN,  
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CIVIL ACTION

NO. 08-2603

**DECLARATION OF T. BARRY GRAY, INDIVIDUALLY**

I, T. Barry Gray, pursuant to 28 U.S.C. § 1746 do hereby declare as follows:

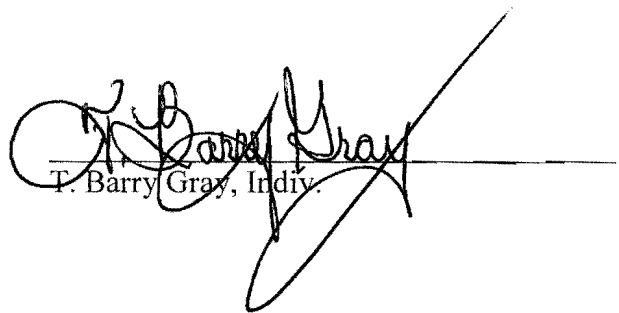
1. I am a pro se plaintiff in the above-captioned matter.
2. I caused the summons and complaint in the above-captioned matter to be served upon Defendant TCIF REO CIT, LLC on September 14, 2010. Service is evidenced by the Return of Service that was filed with the Court on October 15, 2010.
3. Pursuant to Fed. R. Civ. P 12(a), TCIF REO CIT, LLC was required to plead or otherwise respond to the complaint by October 5, 2010.
4. TCIF REO CIT, LLC has not responded as required by Fed. R. Civ. P 12(a), and the time for such response has not been extended by the Court.

5. The declaration is made pursuant to the provisions of the Soldiers and Sailors Civil Relief Act of 1940 and the provisions of the Soldiers and Sailors Civil Relief Act Amendments of 1942; and that after investigation, the declarant hereby alleges that TCIF REO CIT, LLC is not in the military service of the United States, nor has TCIF REO CIT, LLC been detailed to any military service with any branch of the armed forces of the United States.

6. The declarant further certifies that TCIF REO CIT, LLC is neither an infant nor an incompetent.

Under penalty of perjury I declare that the foregoing is true and correct.

Executed this 24<sup>th</sup> day of November 2010.

  
T. Barry Gray, Indiv.

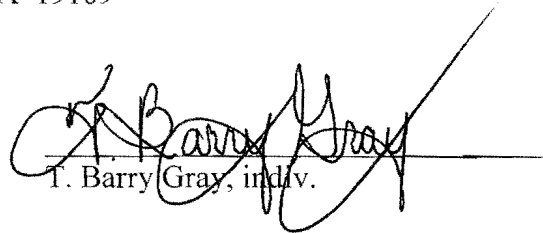
**CERTIFICATE OF SERVICE**

I, T. Barry Gray hereby certify that on this 24<sup>th</sup> day of November, 2010 I caused a true and correct copy of the foregoing Request To Enter Default, Entry of Default and Declaration of T. Barry Gray, individual, to be served by U.S. mail, postage prepaid, addressed as follows:

TCIF REO CIT, LLC  
3815 South West Temple  
Salt Lake City, UT 84115

Holsten & Associates  
One Olive Street  
Media, Pennsylvania 19063  
*Counsel for Angela L. Martinez, Deborah L. Gaston, and Joseph F. McGinn*

Wachovia Bank, National Assoc.  
123 South Broad Street  
Philadelphia, PA 19109

  
T. Barry Gray, indiv.